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Of Counsel Robert J. Keller bob@s-plaw.com

RECEIVED

October 28, 2003

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FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF THE SECRETARY

## **VIA HAND DELIVERY**

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
Portals II – 12th Street Lobby
Filing Counter – TW-A325
445 12th Street, SW
Washington, D.C. 20554

Re: MM Docket No. 03-207

RM-10769

Amendment of Section 73.202(b)

Table of Allotments, Television Broadcast Stations

(Osage Beach, Missouri)

Dear Ms. Dortch:

Transmitted herewith, on behalf of Timothy D. Lischwe, is an original and four (4) copies of his Comments supporting the allotment of Channel 49 to the community of Osage Beach, Missouri.

Please contact the undersigned in the event the Commission has any questions with respect to these Comments.

Sincerely,

Aaron P. Shainis Counsel for

TIMOTHY D. LISCHWE

Enclosure

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## BEFORE THE FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)		TOTICIANY
Amendment of Section 73.202(b)	)	MM Docket No. 03-207	
Table of Allotments Television Broadcast Stations Osage Beach, Missouri	) ) )	RM-10769	

TO: Assistant Chief, Audio Division Media Bureau

## **COMMENTS**

Timothy D. Lischwe ("Lischwe"), by his counsel, hereby submits his Comments in response to the Commission's Notice of Proposed Rule Making ("NPRM"), released September 24, 2003, DA 03-2893, proposing to amend the TV Table of Allotments by adding Channel 49+ to Osage Beach, Missouri.

- 1. The NPRM was released in response to Lischwe's Petition for Rule Making ("Petition") proposing the allotment of Channel 49 to Osage Beach. The new allotment will be the first local television service to Osage Beach.
- 2. Lischwe hereby states that if the Commission approves the requested allotment of Channel 49+ to Osage Beach, Missouri, Lischwe will submit an application for a construction permit to serve Osage Beach and, if his application is granted, he will construct that facility.

WHEREFORE, Lischwe respectfully requests that the Commission grant his Petition and allot channel 49+ to Osage Beach, Missouri, so that the residents of Osage Beach can receive their first local aural transmission service.

Respectfully submitted,

TIMOTHY D. LISCHWE

Aaron P. Shainis

Lee J. Peltzman

Shainis & Peltzman, Chartered

1850 M Street, N.W.

Suite 240

Washington, D.C. 20036

His Counsel

October 28, 2003

#### CERTIFICATE OF SERVICE

I, Karen McNeill, secretary at the law firm of Shainis & Peltzman, Chartered, do hereby certify that on this 28<sup>th</sup> day of October, 2003, I had hand-delivered a copy of the foregoing document to the following:

Pam Blumenthal Media Bureau Federal Communications Commission 445 12<sup>th</sup> Street, S.W., Room 2-A762 Washington, D.C. 20554

Karen McNeill